



Sen. Heather A. Steans

Filed: 5/20/2016

09900SB0550sam002

LRB099 03301 MJP 48902 a

1 AMENDMENT TO SENATE BILL 550

2 AMENDMENT NO. _____. Amend Senate Bill 550 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Care Act of 1969 is amended by adding
5 Section 5.9 as follows:

6 (225 ILCS 10/5.9 new)

7 Sec. 5.9. Lead testing of water in licensed day care
8 centers, licensed day care homes, and licensed group day care
9 homes.

10 (a) For the purposes of this Section:

11 "First draw-tap sample" means one liter of water that has
12 stood motionless in the plumbing system of the sampling site
13 for at least 6 hours.

14 "Source of potable water" means the point at which
15 non-bottled water exits any tap, faucet, drinking fountain, or
16 similar point of use likely to be ingested by children or used

1 for food preparation.

2 (b) Effective January 1, 2017, licensed day care centers,
3 licensed day care homes, and licensed group day care homes
4 shall have all sources of potable water at the facility tested
5 for lead at least once every 3 years. All samples tested
6 pursuant to this section must be first-draw tap samples.

7 (c) Effective January 1, 2017, as part of an initial
8 application or application for renewal of a license for day
9 care centers, day care homes, and group day care homes, the
10 Department shall require proof that all sources of potable
11 water at the facility have been tested for lead within the last
12 3 years.

13 (d) The results of the most recent test of each source of
14 potable water at the facility shall be posted in the facility
15 next to the license issued by the Department. Copies of the
16 results shall be provided to parents or guardians upon request.
17 The results shall be compiled into a single document and shall
18 include, at a minimum, the date, source of potable water and
19 lead concentration of each sample test result. Any test result
20 of 15 parts per billion (15 micrograms per liter) or greater
21 shall be highlighted.

22 (e) Included with the tests results referenced in
23 subsection (d) shall be the following statement:

24 "Every parent or guardian is notified that this facility
25 has performed tests for lead from this facility's potable water
26 sources. Elevated levels of lead in drinking water can cause

1 serious health problems, especially for young children.
2 Specific risks include damage to brain and kidneys, and
3 interference with production of red blood cells that carry
4 oxygen to all parts of the body. Scientists have linked the
5 effects of lead on the brain with lowered IQ in children. Lead
6 is stored in bones and it can be released later in life. There
7 is no safe level of lead in drinking water or safe level of
8 lead to ingest. However, State and Federal Safe Drinking Water
9 Standards establish 15 parts per billion (15 micrograms per
10 liter) of lead in drinking water as the lead action level."

11 (f) Licensed day care centers, licensed day care homes, and
12 licensed group day care homes shall promptly submit the results
13 of all tests for lead in the sources of potable water at their
14 facilities to the Department and the Illinois Environmental
15 Protection Agency.

16 Section 10. The Environmental Protection Act is amended by
17 adding Section 17.11 as follows:

18 (415 ILCS 5/17.11 new)

19 Sec. 17.11. Lead in drinking water prevention.

20 (a) For the purposes of this Section:

21 "Child care facility" has the meaning ascribed to it in
22 Section 2 of the Lead Poisoning Prevention Act.

23 "Governmental entity" means a State agency, a county, a
24 municipality, a township, a public educational institution, a

1 special district, or any political subdivision thereof.

2 "Potentially affected residence" means both (1) a
3 residences within 300 feet of any portion of a water main or
4 water service line owned by a community water supply on which
5 repair or replacement work is done, and (2) the residence or
6 residences serviced by the lead service line or water meter
7 that is repaired or replaced.

8 "School" means any school district or public, private, or
9 nonpublic day or residential educational institution,
10 including charter schools, that provides elementary or
11 secondary education for grade 12 or under.

12 (b) The owner or operator of a community water supply shall
13 sample for lead at all potable water sources likely to be
14 consumed by children or used for food preparation in all
15 schools in its distribution system at least once during every 3
16 year sampling period. The first 3 year school sampling period
17 begins January 1, 2017. The owner or operator of a community
18 water supply shall submit the sample results to the Agency and
19 school or child care facility within 2 business days of receipt
20 of the results by the community water supply. The Agency shall
21 publish all sample results on its website within 14 days of
22 receipt by the Agency. If any sample exceeds the lead action
23 level of 15 parts per billion (15 micrograms per liter) the
24 school shall promptly notify the parents or legal guardians of
25 all potentially affected students of the location of the
26 exceedance and direct them to the United States Environmental

1 Protection Agency's website for information about lead in
2 drinking water.

3 (c) Within 180 days of the effective date of this
4 amendatory Act of the 99th General Assembly, the owner or
5 operator of a community water supply shall develop and submit
6 to the Agency a plan to compile a comprehensive inventory of
7 all lead service lines within the community water supply
8 distribution system including privately owned lead service
9 lines. At a minimum, the plan shall:

10 (1) include a procedure for determining whether any
11 water service lines exposed as a result of construction or
12 excavation by the community water supply or any other
13 public utility are made of lead; and

14 (2) include a procedure by which the owner or operator
15 of the community water supply will update the information
16 in its lead service line inventory on at least an annual
17 basis.

18 The owner or operator of a community water supply shall
19 implement the lead service line inventory development plan in
20 accordance with its terms.

21 (d) On or before April 15 of each year, the owner or
22 operator of a community water supply shall submit to the Agency
23 an inventory of all known lead service lines within its
24 community water supply distribution system including privately
25 owned lead service lines current through at least the end of
26 the previous calendar year. The lead service line inventory

1 shall separately identify the lead service lines that were
2 added to the inventory after the previous year's submission.
3 The lead service line inventory shall also include a summary
4 that provides:

5 (1) the total number of service lines within the
6 community water supply distribution system;

7 (2) the percentage of service lines that are known to
8 contain lead;

9 (3) the percentage of service lines that are known to
10 be of a material other than lead;

11 (4) the percentage of service lines added to the
12 inventory after the previous submission of the annual lead
13 line inventory; and

14 (5) the location of lead service lines within the
15 community water supply distribution system and their
16 lengths, if known.

17 (e) On or before June 30 of each year, the Agency shall
18 publish on its website each community water supply's annual
19 lead service line inventory, including the information listed
20 in paragraphs (1) through (5) in subsection (d).

21 (f) Prior to January 1, 2018, each governmental entity in
22 the State shall compile a comprehensive inventory of the lead
23 service lines servicing the structures of which it is the
24 owner. The governmental entity shall submit that inventory to
25 the Agency and each community water supply of whose
26 distribution system any of its lead service lines are a part.

1 The owner or operator of a community water supply shall
2 incorporate information concerning government building lead
3 service line inventories submitted to it by any governmental
4 entities into its lead service line inventory as soon as
5 practicable after it receives such information.

6 (g) The owner or operator of a community water supply shall
7 promptly notify the owners and occupants of a residence where
8 any individual tap sample exceeds 15 parts per billion (15
9 micrograms per liter). The notification shall include:

10 (1) appropriate consumer education materials informing
11 the owners and occupants of the health hazards associated
12 with the ingestion of lead and actions that may be taken to
13 reduce or eliminate lead levels in drinking water; and

14 (2) contact information for one or more individuals at
15 the local or state health department who will be able to
16 provide additional information concerning the health
17 hazards of elevated lead levels in drinking water.

18 (h) The owner or operator of a community water supply
19 shall, 14 days prior to beginning planned work to repair or
20 replace any water mains, lead service lines or water meters,
21 notify the owners and occupants of all potentially affected
22 residences of the planned work. The notification shall include:

23 (1) a warning that the work may result in sediment,
24 possibly containing lead, in the residence's water supply;
25 and

26 (2) information concerning best practices for

1 preventing the consumption of any lead in drinking water,
2 including a recommendation to flush water lines during and
3 after the completion of the repair or replacement work and
4 to clean faucet aerator screens."